

UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE

IN RE TRICOR INDIRECT PURCHASER )  
ANTITRUST LITIGATION )

C.A. No. 05-360 (SLR)  
(consolidated)

THIS DOCUMENT RELATES TO: )

ALL INDIRECT PURCHASER CASES )

**OBJECTOR CHRISTOPHER BATMAN'S MOTION TO INTERVENE**

Objector and Proposed Intervenor Christopher Batman files this Motion to Intervene pursuant to Rule 24(a) of the Federal Rules of Civil Procedure provides as follows:

Intervention of Right. Upon timely application anyone shall be permitted to intervene in an action ... when the applicant claims an interest relating to the property or transaction which is the subject of the action and the applicant is so situated that the disposition of the action may as a practical matter impair or impede the applicant's ability to protect that interest, unless the applicant's interest is adequately represented by existing parties.

Objector's interest in the class action and the class action settlement are not adequately protected by class counsel, class representatives or the defendant. Objector incorporates by reference his objection as though set forth in full to show the interests of this unnamed member of the class is not being adequately protected.

He hereby moves to intervene in the above-titled action for the limited purposes of objecting to the proposed settlement and to preserve his right to appellate review of his objection, and in support thereof, states:

1. Proposed Intervenor seeks to intervene for the limited purposes of objecting to the proposed settlement and to preserve his right to appellate review of his objection.
2. Intervention will not disrupt the conduct of this action or otherwise prejudice the

parties.

3. Proposed Intervenor is a member of the Class and therefore has an interest in the proposed settlement sufficient to justify intervention.

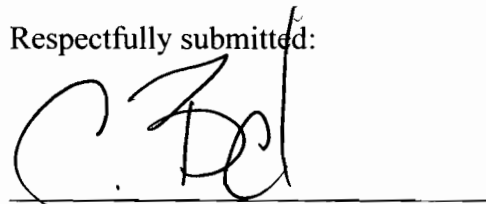
4. Proposed Intervenor incorporates by reference, and make a part of this Motion, the grounds set forth in his previously-filed objection to the proposed settlement. Proposed Intervenor requests that his objection filed herein serves as his Complaint in Intervention in this action.

5. Intervention is necessary to protect objector's standing to appeal in adverse ruling concerning the settlement of this matter and thus protect their rights of Due Process pursuant to Florida and applicable federal precedent. *See, e.g., Litvak v. Scylla Properties, LLC*, 946 So.2d 1165, (Fla. App. 1 Dist. 2006) and *Barnhill v. Florida Microsoft Anti-Trust Litigation*, 905 So.2d 195, (Fla. App. 3 Dist. 2005).

WHEREFORE, Movant Christopher Batman prays that this Court enter an Order granting his Motion to Intervene for the limited purposes of objecting and preserving his right to appellate review of his objection, and for any and all other relief that this Court deem just and proper.

Respectfully submitted:

By:



Christopher Batman, Pro Se

**CERTIFICATE OF SERVICE**

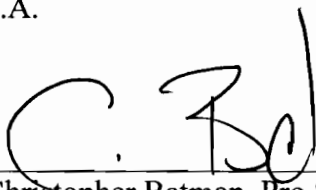
On this the 15th day of September 2009, a true and correct copy of the above and foregoing instrument was duly served by priority U.S. mail to the Clerk and certified mail, return receipt requested upon the following counsel of record:

Clerk of the Court  
United States District Court  
District of Delaware  
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\_\_\_\_\_  
Christopher Batman, Pro Se

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**ORDER**

The Court, having heard Objector Christopher Batman's Motion to Intervene, and considered the pleading and argument of counsel, is of the opinion that said Motion should be GRANTED.

It is therefore, ORDERED, that Objector Christopher Batman's Motion to Intervene is in all things GRANTED.

Signed this \_\_\_\_\_ day of \_\_\_\_\_ 2009.

\_\_\_\_\_  
JUDGE PRESIDING